

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

DWAYNE BROWN,)	
Petitioner,)	Civil Action No. 7:13cv00567
)	
v.)	<u>FINAL ORDER</u>
)	
UNNAMED,)	By: Norman K. Moon
Respondent.)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Brown's 28 U.S.C. § 2254 petition is **DISMISSED** without prejudice and this action shall be **STRICKEN** from the active docket of the court.

Further, finding that Brown has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to petitioner.

ENTER: This 9th day of January, 2014.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE